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DOCKET NO: 212404US2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

TAKUYA KUROKI, ET AL.

SERIAL NO: 09/921,567

FILED: AUGUST 6, 2001

FOR: DISPLAY DEVICE,  
MANUFACTURING METHOD THEREOF  
AND IMAGE TERMINAL UNIT  
EMPLOYING THE SAME

:

: EXAMINER: JOSEPH H. NGUYEN

:

: GROUP ART UNIT: 2815

:

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OCT 20 2003  
TECHNOLOGY CENTER 2800

RESTRICTION AND ELECTION OF SPECIES

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction Requirement in the Official Action mailed September 17, 2003, Applicants elect Group I, Claims 1-21 and 24-28 for further examination on the merits in the present application.

Further, in response to the Election of Species requirement, Applicants elect embodiment 1 and identify Claims 1-21 as readable on the elected species.

Applicants respectfully traverse the election requirement for the following reason.

MPEP § 803 states:

MPEP § 803

... If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

The claims of the present invention would appear to be part of an overlapping search area.

Accordingly, Applicants respectfully traverse the outstanding Election requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

Accordingly, an action on the merits is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



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